IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

Tr.Appeal(C).No. 14 of 2007

AGAINST THE JUDGEMENT IN TR.PC.106/2007 Dated 19/07/2007 OF THIS COURT
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APPELLANT/PETITIONER

SINIRAJ E.,
D/O.JAYARAJ E., AGED 23 YEARS, EDODI HOUSE,
KANDOTH THAZHEKUNNIL, LIBERTY QUARTERS,
CHELEKKARA (POST), THALASSERY.

BY ADV. SRI.C.P.PEETHAMBARAN

RESPONDENTS: RESPONDENT

RANJISH K.,
S/O.CHANDRAN K., AGED 31 YEARS,
KAMMAMKANDY HOUSE, 'JIJEESH NIVAS',
PUTHIYANGADI AMSOM, DESOM, KOZHIKODE TALUK.

BY ADV. SMT KOCHUMOL

THIS TRANSFER APPEAL(CIVIL) HAVING BEEN FINALLY HEARD ON 17/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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J.B.KOSHY & V.GIRI, JJ.

Transfer Appeal(C) No.14 OF 2007

Dated 17th August, 2007

JUDGMENT

Koshy,J.

Appellant filed an application for maintenance before the Family Court, Kannur which was numbered as M.C.No.283 of 2007. Respondent husband filed an application for divorce as O.P.No.376 of 2006 before the Family Court, Kozhikode. Hence, a transfer petition was filed by the appellant to transfer O.P.No.376/2006 from Family Court, Kozhikode to Family Court, Kannur. It is admitted that the respondent's office is in Kannur even though he is on travel because he is engaged in the sales. Anyway, his office is in Kannur. It is stated that the appellant is studying for MBA in Bangalore and she has to go to the house from Bangalore and then to attend the court. Being a woman, parental help also is necessary. It is also stated by the appellant that henchmen of the husband are trying to threaten her when she reached Kozhikode. According to the respondent husband, his father-in-law is actually threatening him. In any way, respondent is working in Kannur and if there is any threatening by either sides, if a complaint is filed, police shall give necessary help. But, on the facts of this case, especially taking note of the fact that they last resided in

Kannur, respondent is also working in Kannur and O.P.No.376/2006 is pending before the Family Court, Kozhikode, we are of the view that the above O.P. be transferred to Family Court, Kannur and tried along with M.C.No.283 of 2007.

The appeal is allowed.

J.B.KOSHY
JUDGE

V.GIRI
JUDGE

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